## STATE TAKES B. R. T. CASE.

JOHN PROCTOR CLARKE IN CHARGE OF THE SPECIAL GRAND JURY.

The Governor and the Attorney-General Intervene at the Request of Representa-tives of the Brooklyn Rapid Transit Company Col. Gardiner Is Pleased. For the second time within three months

Attorney-General Davies, through his deputy. Job E. Hedges, has appeared in court upon the advent of a Special triand Jury and has taken the direction of that body out of the hands of District Artorney Gardiner. He appeared vesterday in the Supreme Court upon the impanelling of the Special Grand Jury which is to consider the attack on the price of Brooklyn Rapid Transit stock by the alleged circulation of false reports Mr. Hedges showed to Col. Gardiner his telegraphic in-

ef a corporation or association, knowingly more lates any tale statement, remore or intelligence, is punishable, acc.

"One person may do this," Justice Fursman went on, "and be amenable to this statute. This was a crime also at common law. It is not, of course, a crime for a man, by a lawful means, in a lawful way, to enhance or depress the value of stocks of a corporation. As, for instance, a man may purchase a large block of stocks, 25,000 shures, if he please, the natural tendency of which is, as we all know, to enhance the market value of those stocks—and when I use the term 'value' I mean market value—may throw suddenly upon the market a large block of stock, 25,000 shares, if you please, and thus depress the market value of stock. This is not unlawful nor a crime. It is the employment of unlawful nor a crime. It is the circulation of false rumors, false information concerning the stocks or bonds of any corporation or association that the law declares to be a crime and imposes upon the person guilty severe penalties. This you are to investigate. You are to find whether in the city or county of New York any such false rumors have been set affoat for the purpose of depreciating or enhancing the value of any particular stock. And if you find that this has been done, then you are to investigate as to the persons who have been guilty of those offences; and if you find it has been done and are able to say who has done it after fair investigation, honest investigation, seeking the punishment of no man, desiring to shield no man, then you are to present that man by indictment, or those men by indictment, whoever they may be dealt with according to law. This society expects of you. This the law demands of you. This common justice demands of you. This common justice demands of you. This your oaths tenuire, and this the Court expects.

Eman yell W. Bloomingdale is foreman of the Spects.

affoat for the purpose of depreciating or enhancing the value of any particular stock. And if you find that this has been done, then you are to investigate as to the persons who have been guilty of those offences; and if you find it has been done and are able to say who has done it, after fair investigation, honest investigation, seeking the panishment of no man, desiring to shield no man, then you are to present that man by indictinent, or those men by indictinent, whoever they may be, that they may be dealt with according to law. This society expects of you. This room instince demands of you. This common justice demands of you. This your caths require, and this the Congt expects.

Emanuel W. Blooming dals is foreman of the Special Grand Jury. His associates are withman L. Brower, John K. Cilley; J. B. Cannon, huilder; Henry Thompson; John H. Dessler; Arthur E. Wood, real estate; Henry Frans; Archibaid Mackay, real estate; Lucius M. Santon, silks; Joel E. Fisher; Moses I. Mandel, merchant; Morris Goldstein, fuller; belward K. Byon, furs; Nicholas O Bonnell, goal; dames A, Benedint, thorwer; John H. Knooppel, merchant; Morris Goldstein, fuller; belward K. Byon, furs; Nicholas O Bonnell, goal; dames A, Benedint, Waterney, teneral Clarks will assume charge of all evidence in it with the District Attorney. The grand jurymen adjourned until Wednesday, and also evidence reduing to the alleged namipulation of consolidated Eublor The stock.

It is expected that man wall Street ranks will attempt to present indly dual gravances to the Special Grand Jury. Letters from persons who tell of losses in Wall Street have been received by the District Attorney. They want their mistortunes inquired into their misfortunes inquired into.

There was a runner in Wall street vesterday that the Special Grand Jury may take up the methods by which information regarding the State Trust Company's loans was made public.

## HEARING OF COL. GARDINER

Likely to Be Put Off for a Week or Two

Alasley Wilcox, Gov. Roosevelt's commissioner to take testimony on the City Club's charges against District Attorney Gardiner, called at the Criminal Courts yesterday to consult with the District Attorney about the proevedings. Commissioner Wileys did not see Col. Gardiner, but had a talk with Assistant Col. Gardiner, but had a talk with Assistant District Attorney MeIntyre. Afterward Mr. Wilcox said that the first session of the hearing would be at 11 o'clock this morning in Col. Gardiner's consultation reom adjoining the law library in the Criminal Courts building. It is probable that an adjournment of a week or two will be taken immediately after the formal opening, and the resumed hearing will go on in the quarters of Trial Term, Part VI, of the Supreme Court in the County Court House, Sessions will be held on Tuesdays, Wednesdays, Thursdays and Fridays of each week.

Col. Gardiner said yesterday that Samuel Untermy a and Senator Grady would assist him in embating the charges. DRINK HABIT CURED BY PRAYER. M'DONALD GETS MORETIME.

A "World" Reporter Describes Revival Services The Incidents of His Conversion. At the revival services held yesterday in the Marble Collegiate Church at Fifth avenue and Twenty-ninth street, the Rev. Dr. Broughton, the Atlanta preacher, who is to return to his delivered an address on the ower of the Holy Ghost. "There isn't a man a New York to-day," he said. "who wouldn't like to have the power of the Holy Ghost, There isn't a woman in society, no matter how such she is wrapped up in its silly frivolities, who wouldn't like to have that power. Our mission on earth, however, is to glorify Jesus.

That's the only power we want. To glorify esus you must take up your cross and carry If you are seeking the spirit of the Holy chost, you can receive it by the denial of your predjudices. I can deny myself anything

easier than my predindices."

The Rev. A.C. Dixon of Brooklyn made a

## BANK PRESIDENT INJURED.

away Road. President of the Bank of the Metrorolis, New

folk, will take on a large cargo for the British Army in South Africa, including, it is said, a lot of ammunition. She will touch at Halicax and may there embark Canadian troops for the Transyani.

and works off the Cold.

No Cure, No Pay. Price 25c. - Aric.

T. COMMISSION ADOPTS FRIENDLY COURSE TOWARD CONTRACTOR.

rangements for Yarnishing the \$6,000,000 Bonds Necessary to Enable Him to Qualify Onderdonk's Bid Rejected. John B. McDonald, the successful bidder for he building of the rapid transit railroad, applied yesterday at a meeting of the Rapid Transit commission for more time in which get the \$6,000,000 in bonds that will enable him to execute the \$35,000,000 contract. The commission promptly granted him until Feb. 20 in which to arrange these financial details and a strong inclination was given out that if this wasn't time enough he could have as much longer as the work might require.

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where any to restrict the potential content of the property of

Remarkable Case of Bartholomew Moriarty of Dobbs Ferry.

Yorkees, Feb 5.—Bartholomew Moriarty, the man with the broken neek, was discharged from St. Joseph's Hospital in this city to-day cured. On Dae, 8 he hobbled into the hospital, having walked six miles to get there, told Dr. O'Neill, the house physican, that all power of motion was gone on his left side, but he could feel on that side, while on the right wide he could move, but his sensory nerves were paralyzed. His head was twisted to one

make the requisite deposits, give the requisite side he could move, but his sensory nerves were paralyzed. His head was twisted to one side. He told the doctor that he was a hole carrier and had falled from a scaffold at Dobbs herry three weeks before. An examination showed that the third vertrobra of his spinal column was broken and that a part of it was preasing against the spinal cord, causing the paralysis. An operation was deemed inadvisable, except as a last resort. The first good result of the treatment used was the passing away of the treatment to the passing away of th

An Examining Board made up of officers of JAMAKA, i. L. Feb. 5.-Theodore Rogers. physicians, which held a competative examina-President of the Bank of the Metrorolis, New York city, figured in a runaway accident last right in which he was slightly injured. Mr. Rogers was on his way home in a cab on Rock away Road, south of this place, when the horse became trightened and ran away. The driver, Issae Philitis, was through to the ground and the vehicle was unset. Mr. Rogers was bruised and cut about the arms and hands.

To Carry Supplies to the British.

The new British steamship Domingo de Larrinaga, which arrived yesterday from Norfolk, will take on a large cargo for the British. tion about a week ago among members of the

Capt. McMillan of the British steamship Grenada, which arrived yesterday from Trint. dad and Grenada, reports that his purser, J. McEwen, while hunting for alligators in a boat at Trinidad accidentally shot himself in the left arm. He was taken to a hospital and the arm was ampulated.

RETIRED FLORIST A SUICIDE. James B. Neal, After Losing a Fortune,

Poisons Himself in Central Park. A middle-aged man walking nervously up and down the plaza in front of the Obelisk in He Now Has Until Feb. 20 or Longer if Central Park attracted the attention of Po-Necessary in Which to Complete Arceman McDonald yesterday afternoon. Me-Donald, like all park policemen, is on the look out for suicides and he scanned the man for a few moments trying to make up his mind if he were meditating self-destruction. The policeman finally decided that that was not the case and walked away. Five minutes later two citzens told Policeman Wall that a man was ying in front of the Obelisk either unconscious or dead. Wall sent in a call for a Park ambulance and hurried there. He found the

scious or dead. Wall sent in a call for a Park ambulance and hurried there. He found the man McDonald had watched lying face downward on the drive. Two empty hottles, which had contained carbolic acid, were lying on the ground beside him.

Dr. Goldsmith, the ambulance surgeon, said that he was dead, and he was taken to the Arsenal. Two cards were found in his pocket. One read, "J. B. Neal, florist, 163 East Eightysixth street," and the other. "Notify Mrs. J. B. Neal, 350 East Eighty-seventh street," The body was taken to the Morgue and word was sent to Mrs. Neal. She identified the body as that of her husband, James B. Neal, and said that they were living at 350 East Eightyseventh street, having moved from Eightysixth street about a month ago.

Years ago, Mrs. Neal said, her husband owned a florist's store on the Bowery near Delancey street. He retired about ten years ago on account of lil health, having amassed \$200.000, but he had lost money steadily since, and lately had been entirely without funds. Mrs. Neal and her daughter both had to get work to keep the pot boiling while Neal, unable to bear seeing his wife and child compelled to work for a living, went away, and had hot lived with them lately. Mrs. Neal said that her husband had been a sufferer from heart trouble and had been very despondent. She declined to tell how he had lost his money. Neal, she said, was 42 years old.

Avenue Hotel. The society will have tor members Georgians living in the city and Georgians occasionally visiting here can become associate occasionally visiting here can become associate members. The society starts with about one hundred members. R. G. Irwin, the President of the Plant System, was unanimously elected President. The other officer: are E. T. Charlton, First Vice-President; James A. Gray, Second Vice-President; David Robinson, Secretary; and Wallace Wheless, Treasurer. The headquarters of the society for the present will be at 100 Fast Twenty-third street.

Called on to Produce His 100 Lepers. President Murphy of the Board of Health has challenged Dr. A. S. Ashmead, of 65 West Twelfth street, to back up with proofs his statement that there are 100 lepers at large in

this city.

"There is not a single case of leprosy in this city," said Colonel Murphy vesterday, "unless there may be a few attended to and carefully guarded by private physicians. And, furthermore, I never heard of Dr. Ashmead's calling the attention of the Board to any such state of affairs."

To Enlarge Brooklyn's Hall of Records. Surrogate George B. Abbott, Register James R. Howe and County Clerk Peter P. Huberty had a conference in the Hall of Records, Brooklyn, yesterday, regarding the enlargement of the building. Many records are now lying in the cellar. The city has been appealed to for an appropriation, and as there is no likelihood of the money being granted, the three county officials yesterlaw decided to send a bill to Albany authorizing the sale of bonds.

## For a Poor Clergygman's Daughter.

In response to the appeal in behalf of a poor lergyman's daughter published in THE SUN on 1 cb. 2, this office received yesterday \$10 from "S. W.;" \$1 from "W. P.;" \$4 from "C. M. S.;" \$3 from R. J. Caldwell; \$1 from George H. Hooper and \$1 from "A. C."

# Sleeplessness results in a lack of energy, makes

you despondent and nervous.

## Duffy's Pure Malt Whiskey

the old family remedy, will bring you refreshing sleep, and you will become full of energy and vitality. It cures nervousness and indigestion. Gives power to the brain, strength and elasticity to the muscles, and richness to the blood. It is a promoter of good health and longevity. Makes the old young, keeps the young strong. Over 7,000 doctors prescribe it on account of its purity and excellence. The most sensitive stomach will retain it.

GENTLEMEN: I have been using your Duffy Pure Malt Whitake y for some time. I have been very sack with stomatic trouble, and could neither eat nor sleep. I am very much tenter since I began to take it.—D. K. ADAMS, 727 Summer venue, Newark, N. J. All druggists and grocers, \$1.00 a bottle. Valuable book free, DUTTY MALT WHISKEY CO., Rochester, N. Y.

IT'S MOLINEUX'S TURN NOW.

PROSECUTION RESTED YESTERDAY-MOTION TO ACQUIT NEXT.

The Sick Juror Was Almost Knocked Out Again by a Short Session-Expected to Appear To-day if It's Fine-Detective Mc-Cafferty and Lawyer Battle Are Both Sick Manheim Brown, the Molineux juror who has been sick, came to court yesterday, and the trial went on after a lapse of a fortnight. The interval proved disadvantageous to both sides: the prosecution, because Detective Sergeant McCafferty, one of its witnesses, is ill in bed and was unable to appear yesterday, so that Mr. Osborne was obliged to close the case for the People without him; to the defence, because Lawyer George Gordon Battle is struggling

The effect of the day's proceedings on Juros

out a little on pressure, thus making the ridge."

Then Prof. Frazer plunged into technique with the characteristic abandon of the expert. Recorder Goff intervened and the witness moderated his scientific transports to intelligible language, explaining the color-tests for the ingredients of the luk, made by glass of various hues. He had tried these experiments on the admitted Molineux letters and on the Barnet letters.

"And did these tests show that the luk was Barnet letters.

"And did these tests show that the ink was identical?" asked Mr. Osborne.

"No: they don't show identity: only a similarity," said the witness.

This was something of a blow to the prosecution, and the Assistant District Attorney kept on questioning until the witness sail that

of the ink.
"But the tests were so strikingly similar," he

"But the tests were so strikingly similar," he said, "that if all the writings had been done with the same ink out of the same bottle the specimens could not be more alike. There was a slight difference of reaction, however, in the address of Exhibit F."

"In the case of the address of Exhibit A (the poison package) what kind of ink was used?" asked Mr. Weeks.

"Tanno gallie ink with a blue coloring."

Q. And are the alterations in Exhibits F. O and Q made with tanno-gallie ink with a blue coloring? A. I think so.

Q. Prof. Hagen the handwriting expert, testified that the original addresses of these letters were in tanno-gallie ink and the erasures in sulphindylie ink. Do you agree with that?

A. No.

Mr. Weeks examined Exhibit Fand remarked

A. No.
Mr. Weeks examined Exhibit Fand remarked that he couldn't see the ridges testified to by the witness. Mr. Osborne said Mr. Weeks's eyes weren't good.
You must take the stand if you wish to testify to the ridges Mr. Weeks," said Recorder toof. Goff.
I'm willing to take the stand," said the law-

"I'm willing to take the stand," said the lawyer. "I'm sure the average observer can't
discern any ridge there."
"You may not look at this impartially," suggested the Recorder.
"I think I'm quite as impartial as the witness," was the reply.
The exhibit was passed around among the
jurymen, and then, to the surprise of every one.
Mr. Osborne said:
"The prosecution rests except for Detective
McCafferty who is til in bed. The prosecution
would like to have an opportunity to call Detective McCafferty later.
"When the prosecution rests," said Mr.
Weeks, "we wantitto rest entirely. We don't
want to leave the way open for any further
witnesses to break in upon our case."
"The Court will not accept a provisional
statement," said the Recorder, "The prosecution must either rest or continue now."
"In that case there is nothing to do but to
rest," said Mr. Osborne.
Recess was taken and after recess Mr. Weeks
asked for an adjournment to to-day, as Mr.
Battle, who has prepared a motion that the
jury be directed to acquit the prisoner, was ill
and unable to attend court.
"We hope to have him here to-morrow," said
he, "but in any case I will be prepared to go
on."

Mr. Osborne acquiesced and the Recorder,

on."
Mr. Osborne acquiesced and the Recorder, saying the request was reasonable, adjourned court until this morning. District Attorney Gardiner was present at the morning session for a few minutes.

## The Weather.

The storm which passed from the lake regions over New York to the coast became very severe Sunday night and early yesterday morning: the winds attained a velocity of 30 to 70 miles an hour all along the coast from Delaware Bay to Maine, and were as high, if not higher, after the storm centre left the coast, moving almost due east. The winds Incoming vessels will surely encounter the gale. New England States in the morning. The rain turned into snow in porthern New York and Ver-

There is no cold wave in eight. In this city yesterday it was rainy in the early morn ing and fair after & A. M., total rainfall one inch; wind orthwest, highest velocity :: 4 miles an hour, which decreased steadily during the day; average humidity 69 per cent : slightly cooler; barometer corrected to read to sea level at 8 A. M., 29,54; 3 P. M., 29,85. The temperature as recorded by the official ther mometer, and also by THE SUN's thermometer at the street level, is shown in the annexed table.

mont; clearing weather setting in in the afternoon

WASHINGTON FORECAST FOR TO DAY AND TO MORROW For New England, fair to-day; diminishing northwest winds; warmer and probably rain or snow furries Wednesday, For eastern New York, fair to-day, northern

winds becoming viriable, warmer with rain or sne For the District of Columbia, eastern Pennsy vania, New Jersey, Delaware, Maryland and Virginia, fair to-day; increasing cloudiness Wednes day; variable winds shifting to south. For western Pennsylvania, partly cloudy and

warmer to-day; rain or snow Wednesday; fres! For western New York and Ohio, partly cloud; and warmer to-day; rain or snow Wednesday; fresh couth togoutheast winds

# CONFIDENCE

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is capital; is the basis of all agreements; is truth personified. When one has confidence in anything the battle is half won, but lack of it imperils success from the beginning. It is but natural and right that religious teachers should inspire confidence. If they cannot be trusted and believed in, who can be? It is with this thought that the following paragraph is given to our readers from a clergyman well and favorably known:

Ashaway, R. I., Feb. 25th, 1899. It is to me a duty as well as a pleasure to acknowledge that Warner's Safe Cure has, under God, been the means of preserving my life. Not only so, but other members of my family have been greatly benefited by a use of the same remedy and scores of men and women of my acquaintance have told me that they have been cured in like manner by a use of this marvelous medicine. It seems to act beneficially when all other It seems to act beneficially when all other remedies fail. I heartily endorse and rec-ommend its use to all sufferers in need of a medicine for the kidneys. This testimonial is sent unsolicited and in the only hope that it will do good.

(REV.) C. JAMES BUDLONG.

Medical advice free. Address Warner's Safe Cure Co., Rochester,

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### PILPEL GIBES PINGPANK.

BARBER'S NAME RECOGNIZED AT LAST ON THE CITY PAYROLL.

'I Hope You Never Change It," Says Pilpel, Who Is Tired of Jokes on His Own Name-Story of the Shave That Cost the President of the Council 60 Cents. The title of the Hon. Gus Pingpank, the barber, to a place on the city's payroll was established yesterday. Pingpank has for six ong months been auctioneers' process server. by appointment of President Guggenheimer of the Council. To be a process server requires great nerve; and it is said that the Hon. Mr. Guggenheimer's attention was first called to Pingpank as one well qualified to fill the office when Pingpank charged him 60 cents for a shave. Then there were other considerations. Pingpank has been suggested for the Demo-eratic nomination for Vice-President, but he Pingpank has been suggested for the Demohas assured the friends of President Guggenheimer that he is not eligible, inasmuch as he is foreign-born. His good taste in thus avoiding a conflict with the Hon. Mr. Guggenheimer has been highly appreciated by those who are at

Though Pingpank has a barber shop he is rather a bove working in it himself except apon extraordinary occasions. Of course, says Pingpank if the Kalser Wilhelm were to come o this country to be shaved and were to go to Pingpank's shop in Bleecker street, it would be the proprietor's duty to go to the shop and shave his Kaiserly Kingly Majesty. But Pingpank is a good deal of a highness himself. He will not shave the mighty unless they sit in the seats of the mighty. It is told of him that he refused to shave the Hon. Mr. Guggenhelmer in Guggenheimer's own office, upon occasion, because he said that all the world could stand around there and learn the secre could stand around there and learn the secret of his perfection in his craft. He shaved the President of the Council, the story goes, in the Mayor's private office. And then he charged him 60 cents for it. As for the President's secretary, Jocelyn Johnstone, he wouldn't shave him at all. "Do you know what is it he eats for his lunch?" asked Pingpank. "Me shave him? No."

Just one man in all the office of the Council has rejoiced in the tribulations of Pingpank in seeking justice at the hands of the Comptroller. He is Emanuel Pilpet. He had heart jokes without end about his own name until he was tired to death. It tickled him almost to the point of impoliteness to hear Mr. Johnstone singing—Mr. Johnstone, after the Council has adjourned and his end of the building is fairly empty, frequently since with exceeds fairly empty, frequently sings with exceed ing sweetness and pertinacity—"Pink-pank, pink-pank, ping." thrumming the while on an imaginary guitar, while his deft amenuensis, Maurice Ahearn, thumps his typewriter with almost count maject. Mairice Ahearn, thumps his typewriter with almost equal melody.

"I hope you never change your name," said Pilipel to Pingpank.

"If I change it. I do it because you don't want it changed," said Pingpank shortly. "Don't bother me now, because I am too busy serving around processes. Go away where I don't bother you."

bother you."

Of late Pingpank has not been of the utmost service to the President of the Council in process serving because of his perturbation of mind over the affront offered by the refusal of the authorities to let his name go upon the payroll until it was settled that his appointment was not a violation of the civil service rules.

rules.
"What for an examination do they want?" asked Pingpank when the difficulty was explained to him.
"Well," said Pilpel, "suppose they ask you how you spell your own name? Or what it Careless Folk eat Mince Pie and other rich food and suffer

> Careful Folk do also, but they take

JOHNSON'S DIGESTIVE TABLETS

> And have no after agony and annoyance

## GRATEFUL

Distinguished everywhere for Delicacy of Flavor, Superior Quality, and highly Nutritive Properties. Specially grateful and comforting to the nervous and dyspeptic. Sold by grocers and storekeepers in half pound tins, labelled JAMES EPPS & CO., Ltd., Hommonpathic Chem-Ltd., Homœopathic Chemists, London, England.

## BREAKFAST

## VIN MARIANI

Mariani Wine-World Famous Tonic Many thousand physicians and millions of persons during the past thirty-rive years have incroughly tested vin Mariani and invariacly experienced beneficial effects. Thousands of famous men and women from almost every walk of life have praised vin Mariani in poetry and prose, in music, sculpture and painting. Try Vin Mariani on its merits.

Sold by all Druggists. Refuse Substitutes.

I don't bother you. If I and you have a fight, remember what are the tools of my trade. The razor, the scissors and the tweezers—."

And your name!" interrupted Mr. Pilpe!

Pingpank rushed out into the hall and demanded of all he metto know what remedy hamight have for the aspersions upon him that were being made by the holding out of his name from the payroll. Somebody took vity on his state and went to the Civil Service Commission and explained to them that the work that Pingpank did for the city was of a confidential nature, and so was exempt from the Civil Service restrictions. They saw that it was so and certified to his name, and the Comptroller let it go upon the payroll and pa I Pingpank for January. And on the roll his name stands, in all its glory:

"P-i-n-g-p-a-n-k."

## D. L. & W. Employees Call on President

The Grievance Committee of the Delaware. Lackawanna & Western Railroad Company's employees called on President Russell yesterained to him.

"Well," said Pilpel, "suppose they ask you company's employees, President Russell when seen afterward said that the committee has presented trifling complaints and asked him to reinstate some discharged men.



A person whom I know explains his pretty constant use of Ripans Tabules in this way. "When your hands are soiled," said he, "you apply water to them. If you are fatigued or travel-stained, a bath is efficient and pleasant in its restorative and freshening effect. Yet your hands will get dirty again; and on occasion you will once more be soiled by perspiration, and require water and soap. Now Ripans Tabules are to the inner man about what soap and water are to the outward. They refresh and sweeten, and will do so again and again, as often as occasion requires, which will be every now and then with all people who are hurried about meals, or who fail to masticate their food properly or are compelled to subsist on food that is improperly cooked or prepared. The people of this sort include about seveneighths of every civilized community."

WANTED:—A case of bad health that R.I.P.A.N.S will not benefit. They banish pain and pre-long life. One gives rollef. Note the word R.I.P.A.N.S on the package and accept no substitute R.I.P.A.N.S. 10 for 5 cents, may be had at any drug store. Ten samples and one thousand testi-beruce St., New York